

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

RAILROAD CONSTRUCTION COMPANY OF SOUTH JERSEY, INC.,	:	Hon. Joseph H. Rodriguez:
	:	
Plaintiff,	:	Civil Action No. 10-6190
	:	
v.	:	ORDER
	:	
A.P. CONSTRUCTION, INC.,	:	
	:	
Defendant.	:	
	:	

This matter having come before the Court on Defendant's Motion to Dismiss Plaintiff's Amended Complaint for lack of subject matter jurisdiction, pursuant to Fed. R. Civ. P. 12(b)(1); and

The Court having considered the arguments of the parties without oral argument, pursuant to Fed. R. Civ. P. 78; and

For the reasons given in this Court's Opinion issued even date,

IT IS ORDERED on this 21st day of July, 2011 that Defendants' motion to dismiss Plaintiff's Complaint pursuant to Fed. R. Civ. P. 12(b)(1) is hereby **GRANTED**.

/s/ Joseph H. Rodriguez
Hon. Joseph H. Rodriguez
United States District Court Judge